

November 17, 2003

ENERGY & ENVIRONMENT  
COMMITTEE  
REPORT NO. 15

ALL MEMBERS PRESENT EXCEPT LEGISLATOR RANZENHOFER.

1. RESOLVED, that the following items are hereby received and filed.

a.       Item           Page                           -2003           (Comm. 20D-1)  
**DEP:** SEQR – Negative Declaration – EC Parks System Master Plan Update.  
(4-0) Legislator Ranzenhofer absent.

b.       Item           Page                           -2003           (Comm. 20E-40)  
**COUNTY EXECUTIVE:** ECSD No. 5 – EC Sewer Agency Report – Increase &  
Improvement of Facilities (2003) – Sewer Rehabilitation.  
(4-0) Legislator Ranzenhofer absent.

c.       Item           Page                           -2003           (Comm. 20E-42)  
**COUNTY EXECUTIVE:** ECSD No. 2 – Engineering Service Agreements – Work Order –  
SW-6, Comm. 18E-41 – Stearns & Wheler.  
(4-0) Legislator Ranzenhofer absent.

d.       Item           Page                           -2003           (Comm. 20E-43)  
**COUNTY EXECUTIVE:** EC/SSTA Engineering Services Agreement – Change Order No.  
4 – Stearns & Wheler.  
(4-0) Legislator Ranzenhofer absent.

e.       Item           Page                           -2003           (Comm. 20E-44)  
**COUNTY EXECUTIVE:** ECSD No. 3 –Engineering Service Agreements – Work Order –  
PH-6 Comm. 18E-41.  
(4-0) Legislator Ranzenhofer absent.

f.       Item           Page                           -2003           (Comm. 20E-45)  
**COUNTY EXECUTIVE:** ECSD No. 5 – EC Sewer Agency Report – Modification of Plans  
(2003) – Sisters of Saint Joseph.  
(4-0) Legislator Ranzenhofer absent.

2.       Item           Page                           -2003           (Comm. 20E-46)  
**COUNTY EXECUTIVE**

WHEREAS, the New York State Department of Transportation (NYSDOT) has notified the County that Route 16 highway improvements require the appropriation of 7,228 square feet of frontage of the Erie County Sewer District No.3 Sewage Treatment Plant property, SBL 231-3-12.2, located at 457 North Main Street in Holland, New York, and

WHEREAS, the NYSDOT has offered \$3,150 for the appropriated land, and

WHEREAS, Erie County Sewer District No.3 has determined that the appropriation will not materially affect the use of the property except as regards removal of guide rails on the entrance driveway, and

WHEREAS, the NYSDOT Design Section has agreed to add fill to reduce the side slope on the north side of the entrance driveway to mitigate the effect of removing the guide rails, and

WHEREAS, the Advisory Review Committee has found that the reimbursement for the appropriation is reasonable, and that there are no objections to the appropriation;

NOW, THEREFORE, BE IT

RESOLVED that the NYSDOT's offer of \$3,150 for the appropriation of 7,228 square feet of frontage on County owned Sewer District No.3 parcel SBL 231-3-12.2 in the Town of Holland for \$3,150 is acceptable, and be it further

RESOLVED, that the County Executive is hereby authorized to sign the NYSDOT Agreement of Adjustment for said property appropriation subject to approval as to form by the County Attorney; and be it further

RESOLVED, that said \$3,150, when received, be deposited in revenue account number 220-853-835-518; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two certified copies of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning; one copy to Nancy Naples, Erie County Comptroller; Gregory Dudek, Assistant County Attorney and Joseph Passafiume, Director of Budget, Management and Finance.  
(4-0) Legislator Ranzenhofer absent.

3.      Item                      Page                      -2003                      (Comm. 20E-54)

**COUNTY EXECUTIVE**

WHEREAS, the Coalition Against Nuclear Materials in Tonawanda (CANiT) is a bipartisan group of elected officials whose goal is the complete and safe removal of radioactively contaminated material originating from the Manhattan Engineering District Project atomic bomb research and development from the Town of Tonawanda; and

WHEREAS, in order to effectively monitor the work of the United States Department of Energy, it is necessary to retain technical consulting services for interpretation of documents associated with the Tonawanda Formerly Utilized Sites Remedial Action Program remedial cleanup actions; and

WHEREAS, a competitive selection process conducted by a committee of CANiT to review proposals from consultants, resulted in the selection of MJW Corporation, Inc. (MJW), for award of a contract; and

WHEREAS, the 2003 Erie County Budget allocated \$10,000 in funds for technical consultant services to CANiT.

NOW, THEREFORE BE IT

RESOLVED, that the County Executive is authorized to enter into a contract in an amount not to exceed \$10,000 with MJW for consulting services; and be it further

RESOLVED, that the source of funds for this contract shall be money appropriated for this purpose in the 2003 Erie County Budget for the Department of Environment and Planning in Account 830, Contractual Services (DAC 110 9456208301477); and be it further

RESOLVED, that the contract will remain in effect until all allocated funding is depleted; and be it further

RESOLVED, that certified copies of this resolution be sent to the Director of Budget, Management and Finance; Laurence K. Rubin, Commissioner of Environment and Planning; Michael Raab, Deputy Commissioner of Environment and Planning; the County Comptroller; and the County Attorney.  
(4-0) Legislator Ranzenhofer absent.

4.      Item                      Page                      -2003                      (Comm. 20E-55)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Environment and Planning provides support to solid waste management planning units, including the City of Buffalo, to assist them in meeting their solid waste management objectives; and

WHEREAS, the New York State Department of Environmental Conservation provides grant assistance to municipalities to implement projects to reduce solid waste in New York State; and

WHEREAS, the City of Buffalo has requested that Erie County assist in the management and implementation of their recycling program; and

WHEREAS, the Department of Environment and Planning provides technical assistance to municipalities and businesses to help address their waste management needs; and

WHEREAS, a City of Buffalo resolution passed on March 20, 2003 (Ref: Resolution "Authorizing Application Grant-In-Aid - Municipal Waste Reduction Recycling Project - State Contract Item No. 116, C.C.P., Feb. 4, 2003 No. 99) provided the necessary authorization to apply for a State Grant-In-Aid for such a municipal Waste Reduction Project and to execute a contract for such State Aid; and

WHEREAS, on July 18, 2003, the New York State Department of Environmental Conservation awarded \$171,850 to the City of Buffalo to implement a Solid Waste Recycling and Reduction Project for the City of Buffalo; and

WHEREAS, the New York State Department of Environmental Conservation requires a 50% local match; and

WHEREAS, the Department of Environment and Planning has identified both existing County resources and funding from the City of Buffalo to establish the necessary match; and

WHEREAS, the County's share of the required cash match will be provided by a transfer of \$66,850 from the Regionalism/Economic Development Fund.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into the necessary agreements with the City of Buffalo to accept grant funds in the amount of \$171,850 from the New York State Department of Environmental Conservation and matching funds in the amount of \$105,000 from the City of Buffalo to implement a Solid Waste Recycling Coordination/Education Project in Buffalo, and be it further

RESOLVED, that the County's share of the required local match will be provided through a transfer of \$66,850 from the Regionalism/Economic Development Fund (DAC 1109043038301299) to Interfund Subsidies in the Department of Environment and Planning (DAC 1109458866209), and be it further

RESOLVED, that the following program budget is hereby appropriated in the grant fund in SFG Project #911:

<b><u>ACT</u></b>	<b><u>Description</u></b>	<b><u>Amount</u></b>
<b><u>Revenues:</u></b>		
360	Other Local Source Revenue (City of Buffalo)	\$ 276,850
686-6200	Interfund Revenue - DEP	<u>66,850</u>
<b>Total Revenues</b>		<b>\$ 343,700</b>
<b><u>Appropriations:</u></b>		
800	Personal Services	\$ 137,677
805	Fringe Benefits	31,886
821	Dues and Fees	21,875
826	Other Expenses	<u>152,262</u>
<b>Total Appropriations</b>		<b>\$343,700</b>

and be it further

RESOLVED, that the position of Assistant Coordinator - Solid Waste Recycling Project, JG-9, is hereby created in the City of Buffalo Recycling Coordinator Grant, and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the Director of the Division of Budget, Management and Finance; Laurence K. Rubin, Commissioner of Environment and Planning; Michael Raab, Deputy Commissioner of Environment and Planning; the Commissioner of Personnel; the Comptroller's Office, and the County Attorney. (4-0) Legislator Ranzenhofer absent.

**DALE W. LARSON**  
**CHAIRMAN**